



September 2, 2022

**Re: WE ACT Draft Comments on the Central Business District Tolling Program  
Environmental Assessment for EPA Region 2 Discussion**

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WE ACT for Environmental Justice (West Harlem Environmental Action, Inc.) is a non-profit, community-based, environmental justice organization dedicated to building community power to fight environmental racism and improve environmental health, protection, and policy in communities of color. WE ACT accomplishes this mission through community organizing, education and training, advocacy and research, and public policy development. As a result of our ongoing work to educate and mobilize our base – the more than 600,000 residents of Northern Manhattan – on environmental issues affecting their quality of life, WE ACT has become a leader in the nationwide movement for environmental justice, influencing the creation of federal, state, and local policies affecting the environment.

Despite traffic-reduction initiatives already in place, and despite the existence of the country's most extensive and robust public transit network, traffic congestion persists. In 2020 and 2021, New York City's traffic congestion ranked worst among the cities in the United States. Continued investment in transit is necessary to increase ongoing mobility and accessibility. There is a dire need to reduce vehicle congestion in the Manhattan CBD to improve the health and wellbeing of low-income communities of color and the reliability and efficiency of the transportation system that 85% of New Yorkers rely on.

Congestion pricing accomplishes several goals: to reduce traffic and gridlock, cut air pollution and provide at least \$1 billion annually in additional revenue for major MTA bus, subway, and commuter rail projects. Congestion pricing is not only good for combating greenhouse gas emissions, it also has a positive effect on public health. Reducing the number of cars that spew noxious fumes in an area has been shown to improve air quality, and studies have found this can benefit a community's respiratory health.

New York City already has one of the most-used public transit systems in the country, and yet on-road vehicles still made up nearly 30% of its emissions in 2019. PM<sub>2.5</sub> pollution from traffic sources in New York City contributes to 320 premature deaths and 870 emergency department (ED) visits and hospitalizations each year. 17% of all PM<sub>2.5</sub> emissions come from traffic. The largest impacts are from trucks and buses. PM<sub>2.5</sub> pollution from traffic is not evenly distributed throughout the city. PM<sub>2.5</sub> levels from all traffic sources are 50% higher in high poverty neighborhoods relative to low poverty neighborhoods. East Harlem and Central Harlem are two of the neighborhoods with the highest percentage of PM<sub>2.5</sub>-attributed health events from traffic. Harmful airborne PM<sub>2.5</sub> and PM<sub>10</sub> particles, which have been shown to cause cancer, would be reduced by more than 11%. Congestion pricing promises less congestion and means cleaner air for all New Yorkers.



Congestion pricing is an opportunity to speed up the state's efforts to reduce transportation emissions as part of the CLCPA's requirements to reduce 85% of greenhouse gas emissions by 2050, with an interim target of 40% by 2030. As a result of congestion pricing, thousands of commuters would no longer drive into work in Manhattan's core. There would be anywhere from 12,571 to 27,471 fewer auto trips taken each day — a 5% to 10% decrease. And daily truck traffic in Manhattan's core would decline anywhere from 21% to 81%, meaning thousands of trucks will no longer drive through Manhattan. The environmental assessment found that at a minimum, congestion pricing would cut total carbon dioxide emissions by 0.8% across the region. The transit system would experience a ridership bump as well — as much as 2.1% for the subway and 1.6% for buses.

New York's traffic-choked bus network is used primarily by low-income folks who do not have cars and live far from the subway. The public trains and buses used by the majority of commuters are in pressing need of upgrades. Many of the MTA's railroads and subway tracks are more than a century old and require billions of dollars in repairs. Studies have found that most of the city's bus routes — which are especially important for the city's lower-income residents — are excruciatingly slow and unreliable. Revenue from the congestion pricing plan is a vital part of the MTA's capital plan, which will help upgrade a subway system that was neglected for decades and improve service to boost ridership. The money should be used to modernize the system, reduce delays, add elevators to more train stations and buy more all-electric buses.

While the assessment finds many positive impacts of the program, it does find a key environmental justice concern — trucks might avoid the fee by finding new routes through the South Bronx and East Harlem, both predominantly Black and Latinx areas that are already overburdened with air pollution. The analysis found that the number of trucks passing through the South Bronx could increase by 50 to 700 per day. The worst-case scenario of 700 additional trucks comes from Scenario B.

In NYC where fine particulate matter linked to truck traffic is already responsible for hundreds of premature deaths per year, any increase in pollution is a concern. In particular, the increase in air pollution and traffic in these disadvantaged communities (DACs) is a concern. The East 125th Street corridor suffers from chronic congestion due to the conflux of traffic to and from the Robert F. Kennedy Bridge (RFK, 95,552 vehicles daily), Willis Avenue Bridge (approximately 70,000 vehicles per day), and the Harlem River Drive (approximately 100,000 vehicles per day). This is compounded by poorly designed bus lanes, rampant double parking, and seemingly endless construction. The South Bronx is saddled with the Cross Bronx Expressway, Major Deegan Expressway, and many more high-traffic routes that cut communities in half and increased the childhood asthma rates when constructed several decades ago. The increase pollution is contributing to an existing cumulative air pollution burden. Both the South Bronx and East Harlem have many polluting sites such as warehouses, bus depots, sanitation parking lots, and industrial facilities.

Section 7(3) of the Climate Leadership and Community Protection Act requires that the State pursue climate change interventions that reduces disproportionate burden. By increasing pollution in these two DACs, the State will be violating Section 7(3). Therefore, the tolling plan must include



measures that *actively reduces* pollution in DACs. WE ACT proposes several recommendations for not only mitigation pollution increase, but also using the tolling program as an opportunity to reduce the existing disproportionate pollution burden.

### **Mitigate Pollution from Major Roadways**

1. Select a scenario that has the fewest daily truck trips increase in South Bronx and East Harlem.
2. Fully fund the program to cap the Cross Bronx Expressway and complete the project in 2024.
3. Install roadside green infrastructure such as trees and hedges along the Cross Bronx Expressway, Major Deegan Expressway, and 125<sup>th</sup> Street exit from Robert F. Kennedy Bridge.

### **Reduce Truck Pollution**

1. Make a funded and programmatic commitment from the State on the Multi-State Medium and Heavy-Duty (MHD) Zero Emission Vehicle (ZEV) Action Plan, including an established plan to transparently track reaching the goal of 100 percent of new MHD vehicle sales in the participating jurisdictions be ZEVs by 2050, and an interim goal of at least 30 percent MHD ZEV sales by 2030.
2. Mass deployment of charging equipment to facilitate MHD ZEV promise.

### **Reduce Bus Pollution**

1. Prioritize bus electrification in DACs that will have increased pollution due to the tolling program. Specifically, prioritize bus electrification along 125<sup>th</sup> Street in East Harlem.
2. Make public the plan for the next phase of electric bus deployment and receive feedback from representatives of DACs, such as members of the Central Business District Tolling Program (CBDTP) Environmental Justice Technical Advisory Group (EJ TAG) or New York City Environmental Justice Advisory Group.
3. In addition to Kingsbridge Depot and Gun Hill Depots, include the Manhattanville Bus Depot for priority procurement of battery electric busses. Manhattanville Depot has a capacity of over 230 busses and is one of the largest Depots in Harlem.
4. Commit funding to upgrading Kingsbridge Depot, Gun Hill Depot, and Manhattanville Depot to be LEED certified, thereby reducing local air pollution.



## **Green Infrastructure for Reduced Pollution and Extreme Heat**

1. Commit funding to the community-driven 125th East Harlem Visioning Plan that WE ACT has been advocating for many years.
  - a. Plant large trees and along 125th street between the RFK bridge where we will see increased traffic, and Park Avenue where the 2nd avenue subway is being built.
    - i. Pay for permanent caretakers for the 125<sup>th</sup> Street trees
  - b. Implement off-set bus lanes along 125th street in East Harlem;
  - c. Implement expanded sidewalk lanes along 125th street in East Harlem;
  - d. Introducing off-board fare collection and all-door boarding at these stops to improve travel times and decrease traffic congestion (bundling these amenities together in single locations not only offers convenience to passengers waiting for the bus, but also creates social hub areas where pedestrians naturally come together);
  - e. Introducing right-turn pockets at bus lanes for heavy intersections such as 125th Street and Park Avenue;
  - f. Introducing dedicated freight truck off-peak loading zones in place of street parking where needed to decrease double parking on 125th and 126th Streets;
  - g. Introducing bus transit signal priority to optimize traffic signal timing and ensure smooth traffic flow;
  - h. Introducing no standing signage and improve traffic enforcement under the Viaduct and at station entry;
  - i. Introducing bioswales and permeable pavers to improve stormwater management and surface runoff;
  - j. Minimizing off-street parking requirements for new developments to discourage private vehicular transit.

## **Subway Station Accessibility Enhancements**

1. Additionally, MTA must prioritize DACs for ensuring subway station accessibility. Below is a list of train stations in Northern Manhattan that do not have accessible entrances uptown:

[To Be Filled In]



### **Affordability for Taxi Drivers**

1. We do not want to see medallion-holding taxi drivers heavily burdened, and therefore recommend the proposed once-a-day charge to enter and leave the tolling district.

### **Prioritize Community-Recommended Interventions**

WE ACT's membership, made up of Harlem, Washington Heights, and Inwood residents, proposed spending priorities for their communities as a result from the tolling program. Community-driven recommendations must be explored seriously and with high priority.

1. Establish an Asthma Clinic in Harlem
2. Fund after school programs in East Harlem and South Bronx in partnership with the Department of Education
3. Improve infrastructure for pedestrians
4. Expand green roofs in Northern Manhattan
5. Install covered bus stops
6. Fund the expansion of the Be a Buddy Program for home-bound elderly in DACs
7. Improve the signal service for the MTA
8. Make MTA free, starting with income-eligible individuals
9. Cleaner Streets, particularly 125<sup>th</sup> Street in East Harlem which has construction materials along the sidewalk, and rat control
10. Increase bus select service in Northern Manhattan
11. Make public busses free
12. Implement programs for people with disabilities that have trouble accessing public transportation
13. Fund the expansion of parks and recreation centers in DACs
14. When implementing greening projects, include local art projects
15. Significantly increase street trees in heat vulnerable neighborhoods such as East Harlem, Central Harlem, and South Bronx.

Ultimately, we are looking for the tolling program to not only reduce traffic and raise funds for public transportation, but we want to see the State implement many projects in environmental justice communities that reduces the *current* environmental burden that exists, not simply mitigates air quality impacts of the tolling program.